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January 4, 2021

**VIA E-FILING**

The Honorable Christopher J. Burke  
U.S. District Court for the District of Delaware  
844 North King Street  
Wilmington, DE 19801

Re: *BioDelivery Scis. Int'l, Inc. v. Alvogen PB Res. & Dev. LLC,*  
C.A. No. 18-1395-CFC-CJB

Dear Judge Burke:

Plaintiffs respectfully submit the enclosed unredacted version of the Opening Expert Report of Dr. Smyth Regarding Invalidity Pursuant to 35 U.S.C. § 112, cited as Exhibit 17 to Plaintiffs' Responsive Letter to Alvogen's Motion to Strike (D.I. 199), for the Court's *in camera* review.

Respectfully,

*/s/ Jeremy A. Tigan*

Jeremy A. Tigan (#5239)

JAT/rs  
Confidential Enclosure Submitted for *In Camera* Review  
cc: Counsel of Record (via electronic mail w/o enclosure)